Supreme Court, U. S.
FILED
SEP 18 1980
MICHAEL RODAK, JR., CLERK

No. 79-2016

IN THE
SUPREME COURT OF THE UNITED STATES

October Term
1979

IN RE: SEBASTIAN INTERSIMONE

SUPPLEMENT TO
PETITION FOR WRIT OF MANDAMUS, OR
WRIT OF PROHIBITION IN THE ALTERNATIVE

to the United States District Court for
the Southern District of New York
(Owen, R.J., District Judge)

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Supplement to Petition 1

Exhibit D - Order of U.S.C.A.,
Second Circuit of
August 19, 1980 denying
pro se Petition. Apx-9

Supplement to Petition

Petitioner in this case filed a pro se Petition for the same relief requested by counsel for Petitioner at Exhibit C to the Petition filed in this case.

At Exhibit D is the action of the United States Court of Appeals denying that pro se Petition but indicating that one of the Circuit Judges would permit renewal in 60 days after the District Court had either held a hearing or developed the record further.

In addition, pursuant to Supreme Court Rule 22.6, the attention of the Court is invited to a Petition for Writ of Certiorari in the case of Pagniello v. New Jersey, Docket No. 79-1894, which raises the question as to the propriety of denial of a motion to admit an out-of-State attorney pro hac vice in a

State criminal case. The issues in the two cases are similar.

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PROOF OF SERVICE

I certify that copies of the foregoing were deposited in a United States Mail Box, with first-class postage prepaid, addressed to Honorable R.J. Owen, United States District Court for the Southern District of New York, Foley Square, New York, N.Y. 10007; Clerk, United States Court of Appeals, United States Court House, Foley Square, New York, N.Y. 10007; U.S. Attorneys Office, Southern District of New York, One St. Andrews Plaza, New York, N.Y. 10007; and the Solicitor General, Department of Justice, Washington, D.C. 20530 on September ____, 1980.

James G. Kolb, Esquire

SECOND SUMMER PANEL

UNITED STATES COURT OF APPEALS

SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals, in and for the Second Circuit, held at the United States Court House, in the City of New York, on the 19th day of August, one thousand nine hundred and 80.

In the Matter of Sebastian Intersimone,

Petitioner.

A motion having been made herein Petitioner pro se for A WRIT OF MANDAMUS

Upon consideration thereof, it is

Ordered that said motion be and it hereby is denied. Judge Oakes would in respect to the denial of Mr. Kolb's application for admission pro hac vice deny the application without prejudice to renew in sixty days with the suggestion that the district court hold a hearing or develop the record further.

/s/
JAMES L. OAKES

/s/
JON. O. NEWMAN

/s/
AMALYA L. KEARSE, Circuit Judge